

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-05286 (SMB)

Plaintiff,

v.

LEGACY CAPITAL LTD.,

Defendant.

**REPLY DECLARATION OF OREN J. WARSHAVSKY IN SUPPORT
OF THE TRUSTEE'S MOTION FOR SUMMARY JUDGMENT**

I, Oren J. Warshavsky, declare pursuant to 28 U.S.C. § 1746, that the following is true:

1. I am a Partner with the law firm of Baker & Hostetler LLP and counsel to the Trustee. I submit this reply declaration in support of the Trustee's Motion for Summary Judgment.

2. Attached hereto as Exhibit 1 is a true and correct copy of the transcript of the testimony given by Frank DiPascali from the criminal trial captioned *United States v. Bonventre et al.*, No. 10-cr-228 (LTS) (S.D.N.Y.), ECF No. 856 on December 4, 2013.

3. Attached hereto as Exhibit 2 is a true and correct copy of the transcript of the testimony given by Frank DiPascali from the criminal trial captioned *United States v. Bonventre et al.*, No. 10-cr-228 (LTS) (S.D.N.Y.), ECF No. 858 on December 5, 2013.

4. Attached hereto as Exhibit 3 is a true and correct redacted copy of a portion of BLMIS's JPMorgan Chase Bank account statement for the period September 1, 2007 to September 28, 2007 for account number 000000140081703 with the beginning Bates number JPMSAB0003915.

5. Attached hereto as Exhibit 4 is a true and correct redacted copy of a portion of BLMIS's JPMorgan Chase Bank account statement for the period September 29, 2007 to October 31, 2007 for account number 000000140081703 with the beginning Bates number JPMSAB0003870.

6. Attached hereto as Exhibit 5 is a true and correct redacted copy of a portion of BLMIS's JPMorgan Chase Bank account statement for the period May 31, 2008 to June 30, 2008 for account number 000000140081703 with the beginning Bates number JPMSAB0004257.

7. Attached hereto as Exhibit 6 is a true and correct copy of a portion of the Expert Report of Lisa M. Collura, CPA, CFE, CFF, dated February 20, 2017 (without exhibits).

8. I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 22, 2019
New York, New York

/s/ Oren J. Warshavsky
Oren J. Warshavsky